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NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS

FOR THE NINTH CIRCUIT

CARL DWAYNE STEVENSON,

Plaintiff - Appellant,

v.

CORCORAN STATE PRISON,

Defendant - Appellee.

No. 05-15862

D.C. No. CV-04-05766-OWW

MEMORANDUM^{*}

Appeal from the United States District Court
for the Eastern District of California
Oliver W. Wanger, District Judge, Presiding

Submitted November 13, 2007^{**}

Before: TROTT, W. FLETCHER and CALLAHAN, Circuit Judges.

California state prisoner Carl Dwayne Stevenson appeals pro se from the district court's judgment dismissing his 42 U.S.C. § 1983 action for failure to comply with an order requiring amendment of the complaint. We have jurisdiction

^{*} This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

^{**} The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

under 28 U.S.C. § 1291. We review for an abuse of discretion a dismissal for failure to comply with a court order. *Ferdik v. Bonzelet*, 963 F.2d 1258, 1260 (9th Cir. 1992). We affirm.

The district court did not abuse its discretion in dismissing the action for failure to comply with a court order because the magistrate judge's November 18, 2004 order thoroughly appraised Stevenson of the deficiencies of his complaint, warned him that failure to comply with the order would result in dismissal of his action, and provided him 30 days to amend. *See Ferdik*, 963 F.2d at 1260-62. Accordingly, the district court properly dismissed the action after Stevenson failed to submit a second amended complaint. *See id.*

AFFIRMED.